



CITY OF DOVER

STORMWATER AND FLOOD RESILIENCE FUNDING COMMITTEE - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **McConnell Center, Room 305**
Meeting Date: **Monday, January 10, 2022**
Meeting Time: **5:30 PM**

Members Present: Bill Baber, Paul Geraci, Chad Kageleiry, Ken Mavrogeorge, Jan Nedelka, Cynthia Walter, Ray Bardwell, David Degenais, Eric George, Dennis Shanahan (City Council, ex officio), Gretchen Young (Community Services, ex officio), Otis Perry, Steve Haight

Members Not Present (excused): Marcia Gasses, Allen Krans, Peter Driscoll

Members Not Present (un-excused): None

Also Present: Ben Sweeney (NHDES Coastal Program Project Partner), Abigail Lyon (PREP Project Partner), Jamie Houle (UNH Stormwater Center Project Partner), and Tom Swenson (NHDES Project Partner)

1. CALL TO ORDER

Councilor Shanahan called the meeting to order at 5:41 PM. Accommodations include remote participation.

2. ATTENDANCE (follow remote participation procedures as needed)

Councilor Shanahan called attendance (see members present listed above).

3. REVIEW AND APPROVAL OF NOVEMBER 22, 2021 MINUTES

Motion: Nedleka made a motion to approve the minutes as presented; Perry second

Roll Call Vote: Motion passed (11 yes; 0 abstention; 0 no)

4. NEW BUSINESS

A. Review substantial revisions to Committee deliverables

Sweeney thanked the committee for their input and feedback on deliverables to ensure they are accurate and reflect the committee's discussion to date. Main revisions to the report and summary of the report included an emphasis of the importance of stormwater management in the face of flooding, acknowledgement that following the report the City should conduct a robust outreach and public input process and the recommendation to explicitly state as such in the deliverables, and that recommendations for a crediting program should include performance-based and social equity credits using existing property tax credits already on file with the City to ease implementation.

Degenais asked to revisit the idea of social credits and to include considerations for churches and hospitals that fill a social need. Baber said that they aren't included because they are not currently exempt from other utilities and George responded that while not exempt from a utility they are exempt from property taxes. Kageleiry stated it was work a



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discussion given the role that health care and churches play in the City, but cautioned from exemptions. Nedelka shared Kageleiry's sentiment and suggested further discussion. He raised the idea that while nonprofits and other charitable organizations are not exempt from water or sewer, those people also have impervious surface which is how the committee is suggesting calculations for stormwater runoff. Nedelka suggested that institutions in a position to support education around stormwater management should be eligible for additional credits. Kageleiry cautioned the idea of earning credits from providing educational resources and added that he felt for profit healthcare should not be eligible. Degenais repeated the idea that institutions providing a social benefit should receive credit. Baber responded saying the proposed credits are not complete exemptions but instead are partial credits and recommended a similar approach for the institutions discussed. Perry raised a concern that the committee is talking about reducing the contribution based on something that has nothing to do with the situation itself. He also asked if credits were available to the blind, what about nonprofits who help the blind but are paying rent that ultimately pays into the utility. Kageleiry suggested the committee include considerations for credits in the recommendations report with the idea of digging in more when the language is developed for a crediting system. Degenais added that the absence of nonprofits and healthcare institutions is more telling than including them in some way. Nedelka added that a future committee or the City will be charged with figuring out the credits, but that the committee has the influence now to say there are others who are worth considering in a crediting system. Nedelka was supportive of language that says something about nonprofit credit opportunities. Perry recommended that the future group charged with making the final system work consider organizations and individuals who have statutory rights to exemptions. Mavrogeorge pointed in the report that this might be a place where nonprofit or health care institution could be another level of eligible credit. It would give the opportunity for additional benefits that would be eligible for credits. Councilor Shanahan pointed to page 31 for social equity credits and the summary at the bottom to say that if the utility is authorized additional analysis on credits is needed. He drafted a suggestion for a new bullet that said, "credits should be applied to property owners or certain nonprofit owners in recognition of the social benefit they give to the community." Nedelka added that it should be tweaked to say the social benefit on their ability to contribute to the discourse, to the public knowledge of the stormwater and flood resilience issue. Kageleiry argued that was the wrong direction. Perry stated the committee was conflating business credits with social credits. Degenais suggested that in the report where the social qualifiers are listed that nonprofit healthcare and churches be included to keep that door open. Walter agreed stating she had no issue with the simple addition Degenais suggested. Walter also suggested – though not for the report – that the project team and the City explore previous NHDES and EPA outreach programs to build off existing resources and use them to learn more about crediting options. She asked for a rough calculation if the

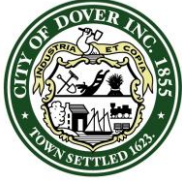


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committee was to open the door to the previously mentioned institutions; how much property and what is the volume of impervious cover. Baber argued the committee was comparing apples to oranges and raised Perry's point again that the groups being discussed are not currently exempt from any utilities (e.g., the blind do not receive exemptions on water bill). He continued saying the committee decided to include school districts and the City to incentivize stormwater practices and improvements and that it does not make sense to exempt nonprofits if public ones are subject to the utility. Kageleiry added that as currently proposed there is nothing preventing a healthcare group from seeking credits and that they do not need a specific mention for their ability to seek credits. Degenais disagreed stating that the absence of their inclusion makes it a greater uphill battle. George stated that full exemption is not on the table. Perry said that any institutions with a physical presence have to deal with stormwater and would be eligible for a credit just as anyone else. Councilor Shanahan and Sweeney summarized the proposed suggestion into a statement under social equity credits that added "nonprofit healthcare and faith-based organizations..." Nedelka recommended simplifying it to "nonprofits." Geraci said he would not vote in favor of Degenais' suggestion and that he would like to see a more general recommendation to the City Council who will determine who might get a break. Kageleiry said that anyone can go for credits, but the committee should say the City should not be able to. Bardwell reminded the committee of their basic charge to recommend a utility or let the funding continue to come from the General Fund. He recommended the report say a credit system should be thoroughly reviewed but cautioned the committee about too much administrative review may be needed and would counteract the funds raised by a utility. Mavrogeorge suggested that instead of saying "providing" change it to "considering" to soften the language. Councilor Shanahan summarized the updated suggestion to change "providing" to "considering" and to include some verbiage that represents nonprofit organizations. Geraci suggested the report (page 25) list "tax exempt/nonprofit" under the list of property tax exempt entities. Walter said that most credits listed in the summary report recommend automatically, and do not specify the amount of credit. She suggested that for tax-exempt/nonprofit that the word "automatic" be replaced to include consideration by experts. Mavrogeorge added the suggestion of "credits should be applied" to "credits would be applied" and expressed no concern of the term "automatic." Sweeney summarized the edit to "tax-exempt/nonprofit: credits should be considered for tax-exempt/nonprofits based on the social benefits they provide to the City." Nedelka added that the City should be eligible for performance-based credits. Baber added that "tax-exempt/nonprofits" should exclude political nonprofits. Mavrogeorge asked if this is all the committee wants the City to consider or if they should keep the door open for other ones. Kageleiry responded saying any property owner could still apply for credits that are performance based. Councilor Shanahan entertained a motion to approve the amended draft as articulated.



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Motion: Degenais made a motion to approve the amended addition as presented; Perry second

Roll Call Vote: Motion passed (10 yes; 0 abstention; 1 no)

B. Committee vote on acceptance of findings and recommendations report

Bardwell asked if the committee would see the final draft before the final vote or if the plan was for a recommendation and vote this evening. Councilor Shanahan responded saying the plan was for a vote tonight. Geraci asked about reflecting changes in the other deliverables. Sweeney responded that all updates would be reflected in all deliverables. Nedelka recommended an edit to table 4 on page 18 about notable deferred projects (e.g., Old Colony Drainage that was added to the CIP 12 years ago.) Kageleiry asked if every delayed project warranted a comment. Nedelka conceded and agreed it was a friendly amendment.

Motion: Baber moved to approve the report as amended; Perry asked about submission to City Council. Baber amended the motion to say approve and submit the report as amended. Perry second.

Discussion: none

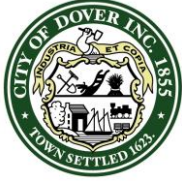
Vote: Motion passed (11 yes; 0 abstention; 0 no)

C. Discuss presentation of recommendations to City Council

Councilor Shanahan let the committee know the City and project team have had a few preliminary conversations about the presentation to City Council. He added that his recommendation would be to convene a workshop with City Council with the Committee in attendance as well as Gretchen Young and John Storer. This would initiate the second phase to get the public on board and that the presentation is the first step of that public process.

Kageleiry added that as the word gets out the committee should emphasize that it took 14 months of discussions and negotiating. The commercial property owners are going to get hit pretty hard but including the City was an important feature in mitigating the cost to the average homeowner. Important to show the City is paying their fair share.

Walter asked about the Committee can put stormwater issues in addition to stormwater and flooding funding in front of other boards. She recommended meeting with stakeholders so there is a place to answer their questions. Councilor Shanahan added that it aligns well with what Bardwell suggested – that this is a regional problem and to shine a spotlight on the great work the City is doing through the Municipal Alliance for



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Adaptive Management. Young responded saying this will be a topic for discussion at the Seacoast Stormwater Coalition and recommended bringing it to the Dover Utilities Commission, Planning Board, Conservation Commission, etc. Baber suggested the City and Committee work with the City's media services to produce a video explaining what a utility is. Committee in agreement.

5. CITIZEN'S FORUM

None present

6. CONFIRM NEXT MEETING DATE, TOPIC, AND HOMEWORK ASSIGNMENTS

Wait to hold the next meeting, get the report together and a conversation with the City Council. Anticipated workshop with City Council in February 2022.

7. ADJOURN

Motion: Nedelka; Second: Haight

Councilor Shanahan declared the meeting adjourned at 6:47PM.